

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42081

DYNO NOBEL INC.

v.

KANEB PIPE LINE PARTNERS, L.P.

Decided: October 17, 2003

On June 16, 2003, Dyno Nobel Inc. (Dyno) filed a complaint with the Board challenging certain rate increases made by Kaneb Pipe Line Partners, L.P. (Kaneb) with respect to pipeline shipments of anhydrous ammonia. Kaneb has filed its answer and a motion to dismiss Count I of the complaint. Dyno filed a reply and a counter-motion for summary disposition of Count I in its favor.

By motion filed October 16, 2003, the parties jointly request: (1) an extension of time for filing responses to discovery until 20 days after the Board's ruling on Kaneb's motion to dismiss and Dyno's motion for summary disposition; and (2) a corresponding extension of time for filing motions to compel until 10 days after the due date for discovery responses. The parties explain that granting the extension requests will allow them to defer discovery efforts and expenses until after the Board rules on the motion to dismiss and the motion for summary disposition.

The parties have shown good cause for the extension requests, and they will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The due date for filing discovery responses is extended to 20 days after the service date of the Board's ruling on Kaneb's motion to dismiss and on Dyno's motion for summary disposition.

2. The due date for filing motions to compel is extended to 10 days after the due date for discovery responses.

3. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary